



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,240	12/18/2001	Hiroshi Tanaka	0879-0366P	8756
2292 7590 10/02/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER NGUYEN, MY XUAN	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 10/02/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

# Notice of Allowability

Application No.

10/020,240

Examiner

My X. Nguyen

Applicant(s)

TANAKA ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 27, 2007.
2. ☒ The allowed claim(s) is/are 10-13, 22 and 25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 07272007
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 07/27/2007 has been entered.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 07/27/2007 was filed after the mailing date of the Notice of Allowance on 06/18/2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Anderson on 05/24/2007.

The application has been amended as follows:

Claims:

10. (Currently Amended) A communication system which is capable of sending and receiving information to and from a communication apparatus on a network via a cellular phone, the communication system comprising:

a cellular phone comprising:

a recording device which records connection information for making communication connection to the communication apparatus on the network;

a first transmitting device which sends the connection information to a ~~communication terminal~~ digital camera unit;

a first receiving device which receives information from the ~~communication terminal~~ digital camera unit; and

a second transmitting and second receiving device which sends and receives information to and from the communication apparatus on the network;  
and

a ~~communication terminal~~ digital camera unit comprising:

a second receiving device which receives connection information for making communication connection to the communication apparatus on the network from the cellular phone; and

a first transmitting and first receiving device which sends and receives information to and from the communication apparatus on the network based on the connection information received from the cellular phone; and

a display for displaying connection information received from the cellular phone.

wherein the user selects a destination for a digital photographic image based on the displayed connection information.

12. (Currently Amended) A communication system which is capable of sending and receiving information to and from a communication apparatus on a network via a cellular phone, the communication system comprising:

a cellular phone comprising:

a recording device which records a menu of destinations of communication and connection information for making communication connection to the communication apparatus on the network associating pieces of the connection information with each other;

a first transmitting device which sends the menu to a ~~communication~~ terminal digital camera unit;

a first receiving device which receives information from a designated ~~communication-terminal~~ digital camera unit on the network; and

a second transmitting and second receiving device which, upon receiving the information of the designated communication apparatus on the network from the ~~communication-terminal~~ digital camera unit, performs dial-up connection to the communication apparatus on the network and sends connection information and thereafter sends and receives information to and from the communication apparatus on the network; and

a ~~communication-terminal~~ digital camera unit comprising:

a second receiving device which receives the menu of destinations of connection for making communication connection to the communication apparatus on the network from the cellular phone;

an inputting device which designates the communication apparatus on the network; and

a first transmitting and first receiving device which sends information of the designated communication apparatus on the network to the cellular phone and connects communication to the designated communication apparatus on the network to send and receive information; and

a display for displaying a menu of destinations received from the cellular phone.

wherein the user selects a destination for a digital photographic image based on the displayed menu of destinations.

20. (Cancelled)

21. (Cancelled)

22. (Currently Amended) The communication system according to claim ~~20~~ 10, wherein said digital camera further comprises:

a mode switching element, which switches between a photographing mode for generating a digital image, and a communication mode for communicating a digital image to a destination based on the menu of destinations received from the cellular phone.

23. (Cancelled)

24. (Cancelled)

25. (Currently Amended) The communication system according to claim ~~23~~ 12, wherein said digital camera further comprises:

a mode switching element, which switches between a photographing mode for generating a digital image, and a communication mode for communicating a digital image to a destination based on the menu of destinations received from the cellular phone.

***Allowable Subject Matter***

4. Claims 10-13, 22 and 25 are allowed over the prior art of record.

5. The following is an examiner's statement of reasons for allowance:

As to claim 10, the prior art of record fails to teach a system capable of sending and receiving information to and from a communication apparatus on a network via a cellular phone, i.e., a communication terminal comprising a second receiving device which receives connection information for making communication connection to the communication apparatus on the network from the cellular phone; and a first transmitting and receiving device which sends and receives information to and from the communication apparatus on the network based on the connection information received from the cellular phone.

As to claim 12, the prior art of record fails to teach a system capable of sending and receiving information to and from a communication apparatus on a network via a cellular phone, i.e., a communication terminal comprising a second receiving device which receives the menu of destinations of connection for making communication connection to the communication apparatus on the network from the cellular phone; an inputting device which designates the communication apparatus on the network; and a first transmitting and first receiving device which sends information of the designated communication apparatus on the network to the cellular phone and connects communication to the designated communication apparatus on the network to send and receive information.

These limitations in combination with the remaining limitations of claims 11, 13, 22 and 25 are not nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably



accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to My X. Nguyen whose telephone number is (571) 272-2835. The examiner can normally be reached on Monday through Friday at 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.X.N.  
09/19/2007

  
Rafael Perez-Gutierrez  
Supervisory Patent Examiner  
Technology Center 2600  
Art Unit 2617

9/20/07